



COPY OF PAPERS
ORIGINALLY FILED

Docket No. 19629-7006
UC 2001-072-2

#4
2857
5-6-02

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

Dated: March 7, 2002

Name of Person Certifying: Nancy Hine
Printed Name: Nancy Hine

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Rocke et al.	Assignee:	Regents of the University of California
Filing Date:	September 19, 2001	Examiner:	Not Assigned
Serial No.:	09/955,663	Group Art Unit:	Not Assigned
Title:	Method for Determining Measurement Error for Gene Expression Microarrays		

Assistant Commissioner for Patents
Washington, D.C. 20231

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MAY 03 2002

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, no fee will be due if the certification is checked below. Otherwise, the Commissioner is hereby authorized to charge Deposit Account No. 50-1193 for any fees required pursuant to 37 C.F.R. §§ 1.17(p).

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This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☒ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.
- ☐ Copies of those items which are marked with an asterisk (*) in the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).

- ☒ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☐ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1193 Docket No. 19629-7006 for any additional fees required in connection with the filing of this Information Disclosure Statement.

DATE: March 7, 2002

Respectfully submitted,

By: Michael J. Shuster
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FORM PTO-1449 (Modified [6-1])

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT(S)' INFORMATION DISCLOSURE
STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

19629-7006

COPY OF PAPERS
ORIGINALLY FILED

SERIAL NO.

09/955,663

INVENTOR

Rocke et al.

FILING DATE

September 19, 2001

GROUP ART UNIT

Not Assigned

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	Class	Subclass	Filing Date If Appropriate
	A1**	4,875,169	Oct. 17, 1989	Synovec et al.			
	A2**	6,263,287 B1	Jul. 17, 2001	Zheng, et al.			

FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLAT'N	
							yes	no

OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)

	C1**	International Search Report, mailed February 13, 2002, Corresponding PCT US01/29268

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).